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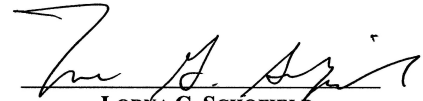
November 1, 2022

VIA E.C.F.

Honorable Lorna G. Schofield
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 11201

Application **GRANTED**. The conference scheduled for November 16, 2022, is adjourned to **December 21, 2022, at 4:00 P.M.** The conference will be telephonic and will take place on the following line: 888-363-4749; access code: 558-3333. An amended case management plan will issue separately.

Dated: November 2, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

RE: Sorin Lazar v. the City of New York, et al.,
21 Civ. 1748 (LGS)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing defendants the City of New York and Jasmine Nunezramos (collectively, "City Defendants") in the above referenced matter. The City Defendants write to respectfully request that the November 16, 2022 pre-motion conference and associated pre-motion conference letter deadline be adjourned to dates after the close of fact discovery.

Upon information and belief, Plaintiff's counsel is out of the office until November 4, 2022, and, thus, the City Defendants were unable to obtain the Plaintiff's position on this request. This is the City Defendant's first request for an adjournment of the November 16, 2022 pre-motion conference and associated pre-motion conference letter deadline.

By way of relevant background, on June 2, 2022, the Court endorsed the parties' proposed Case Management Plan, which set the close of discovery for October 20, 2022, and, thus, scheduled a pre-motion conference for November 16, 2022, provided that "[a] party wishing to file a summary judgment or other dispositive motion shall file a pre-motion letter at least two weeks before the conference." (Dkt. No. 46.)

However, in light of the ongoing motion practice between the Plaintiff and third-party, non-City, defendants Aurora Condominium and Cyris Jewels, including Plaintiff's filing of the Third Amended Complaint, on October 5, 2022, Plaintiff requested an extension of time to complete discovery and participate in mediation. (See Dkt. No. 65.)

On October 6, 2022, the Court granted the Plaintiff's request, extending the time to complete fact discovery until November 21, 2022, "without prejudice to further application once Defendants The Aurora Condominium and Cyris Jewels have appeared in this case." (Dkt. No. 67.)

However, Plaintiff's October 5, 2022 application made no mention of the November 16, 2022 pre-motion conference and associated pre-motion letter deadline and, thus, those dates appear to be unaltered. Nevertheless, while the City Defendants anticipate that they *will* move for summary judgment at the conclusion of discovery in this matter, since there is still outstanding discovery in this case, including both paper discovery and Plaintiff's deposition, the City Defendants are presently unable to positively affirm whether they will be moving for summary judgment at the conclusion of discovery.

Accordingly, for the reasons detailed above, the City Defendants respectfully request that the November 16, 2022 pre-motion conference and associated pre-motion conference letter deadline be adjourned to dates after the close of fact discovery.

The City Defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Nicolette Pellegrino
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Special Federal Litigation Division

CC: VIA FIRST CLASS MAIL
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